

1 MICHAEL R. SIMMONDS
2 (SBN 96238)
3 TOMIO B. NARITA
4 (SBN 156576)
5 SIMMONDS & NARITA LLP
6 44 Montgomery Street, Suite 3010
San Francisco, CA 94104-4816
Telephone: (415) 283-1000
msimmonds@snllp.com
tnarita@snllp.com

7 MICHAEL J GORBY
8 (Pro Hac Vice)
9 MARY DONNE PETERS
10 (Pro Hac Vice)
11 GORBY, PETERS &
12 ASSOCIATES LLC
Two Ravinia Drive, Suite 1500
Atlanta, Georgia 30346
Telephone: (404) 239-1150
mgorby@gorbypeters.com
mpeters@gorbypeters.com

13 *Attorneys for Defendant Libre By*
14 *Nexus, Inc.*

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 JUAN QUINTANILLA VASQUEZ
18 and GABRIELA PERDOMO ORTIZ,
19 and VICTOR HUGO CATALAN
20 MOLIN, individually and on behalf of
all others similarly situated,

21 Plaintiffs,

22 vs.

23 LIBRE BY NEXUS, INC. and JOHN
24 DOES 1-50,

25 Defendants.

JEFFREY KALIEL,
California Bar No. 238293
SOPHIA GOREN,
California Bar No. 307971
TYCKO & ZAVAREEI LLP
1828 L Street, N.W., Suite 1000
Washington, D.C. 20036
Tel.: (202) 973-0900
Fax: (202) 973-0950
jkaliel@tzlegal.com
sgoren@tzlegal.com

ANNICK M. PERSINGER,
California Bar No. 272996
TYCKO & ZAVAREEI LLP
483 Ninth Street, Suite 200
Oakland, CA 94607
Telephone (510) 254-6808
Facsimile (202) 973-0950
apersinger@tzlegal.com

Attorneys for Plaintiffs

CASE NO.: 4:17-cv-00755-CW

**ORDER ON STIPULATION FOR
STAY OF DISCOVERY PENDING
PRIVATE MEDIATION AND
REQUEST FOR ORDER
CONTINUING DEADLINES AND
HEARINGS WITH RESPECT TO
PENDING MOTIONS**

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28 VASQUEZ, et. al. v. LIBRE BY NEXUS, INC. (CASE NO.: 4:17-cv-00755-CW)
ON STIPULATED REQUEST FOR STAY AND CONTINUANCE ETC.

1 The Court, having considered the stipulation of the parties to stay discovery
2 temporarily while the parties pursue settlement through private mediation, the
3 parties' request for an order continuing the deadlines previously set by the Court
4 for briefing on the pending Motion to Compel Arbitration and Motion to Dismiss
5 Counts V and VI of the Second Amended Complaint, and the parties' request that
6 the Court remove the hearing set for such motions from the Court's October 3,
7 2017 calendar and reset the hearing for such motions in the event the parties are
8 unable to resolve this action through private mediation, and good cause appearing,

9 IT IS HEREBY ORDERED:

10 1. The hearing on the Motion to Compel Arbitration (Doc. 35) and
11 Motion to Dismiss (Doc. 41) set on 10/3/17 is taken off calendar, pending the
12 parties' good faith effort to settle this action through private mediation, such
13 motions to be reset by the Court in the event that the case is not resolved through
14 mediation.

15 2. The Court's prior referral of this case to the Mediation ADR Program
16 shall be withdrawn upon completion by the parties of private mediation.

17 3. In the event mediation is not successful and the parties reach an
18 impasse, the parties shall meet and confer on outstanding discovery scheduling and
19 outstanding discovery disputes within ten days following the mediation.

20 4. In the event mediation is not successful and the parties reach an
21 impasse, Plaintiffs shall file their opposition to Defendant's Motion to Compel
22 Arbitration within sixty (60) days after the mediation, and Defendant shall file its
23 reply memorandum within 20 days thereafter.
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1 5. In the event mediation is not successful, Defendant shall file its reply
2 memorandum in support of its Motion to Dismiss within sixty (60) days after the
3 mediation.

4 6. The parties shall promptly inform the Court whether the parties have
5 been able to settle this action through private mediation. The Court shall reset
6 pending motions for hearing consistent with the foregoing if the Court is advised
7 by the parties that they were unable to reach a settlement.
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9 DATED: August 10, 2017
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13 Honorable Claudia Wilken
14 United States District Judge
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